



1 Physical Therapist duties without the proper license. Mr. Peterson also noted that Appellant was  
2 supervised by a Physical Therapist 3. On February 10, 2004, Appellant filed an appeal with the  
3 Personnel Appeals Board.

4  
5 **Summary of Appellant's Argument.** Appellant asserts she has demonstrated an ongoing ability to  
6 perform at the Physical Therapist 1 (PT1) level. Appellant argues a long-term inequity exists  
7 because she has been performing PT1 duties since she was hired in 1999. Appellant contends her  
8 case is similar to DSHS v. Haslam et al., ALLO-01-0029, where the Board upheld the Department  
9 of Personnel's decision to reallocate Occupational Therapy Assistants (OTA) at Western State  
10 Hospital to Occupational Therapist 1 positions. Appellant argues there is a strong correlation  
11 between physical therapy and occupational therapy and had she been included with OTA group, she  
12 would have been reallocated upward. Appellant contends she possesses the knowledge and skill  
13 required to work at the higher-level, and she works directly with patients to perform physical  
14 therapy services with minimal supervision. Appellant argues Paul Peterson's decision is based  
15 primarily on licensure, but that he waived the requirement for the OTA positions. Appellant argues  
16 minimum qualifications do not play a role in her position because she has been performing the job  
17 for over three years.

18  
19 **Summary of Respondent's Argument.** Respondent argues allocations are not based on treatment  
20 of other employees and argues no long-term inequity exists. Respondent contends Appellant  
21 originally asked to be reallocated to a higher level within the Physical Therapy Assistant series, but  
22 that no such position exists in general government, and that such a position only exists in higher  
23 education. As a result, Respondent asserts there is no classification available between a Therapy  
24 Assistant and Physical Therapist 1. Respondent argues the PT1 position legally requires the  
25 incumbent to be licensed, and Appellant does not possess the necessary license. Respondent  
26 argues that hospitals must abide by licensing requirements, and the minimum qualifications are

1 relevant because a professional license is required and experience does not substitute for education  
2 in this case.

3  
4 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated  
5 to the Therapy Assistant classification should be affirmed.

6  
7 **Relevant Classifications.** Therapy Assistant, class code 57150; Physical Therapist 1, class code  
8 57300.

9  
10 **Decision of the Board.** The purpose of a position review is to determine which classification best  
11 describes the overall duties and responsibilities of a position. A position review is neither a  
12 measurement of the volume of work performed, nor an evaluation of the expertise with which that  
13 work is performed. Also, a position review is not a comparison of work performed by employees in  
14 similar positions. A position review is a comparison of the duties and responsibilities of a particular  
15 position to the available classification specifications. This review results in a determination of the  
16 class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v.  
17 Washington State University, PAB Case No. 3722-A2 (1994).

18  
19  
20 The definition for the class of Therapy Assistant states:

21  
22 Under the supervision of a licensed Occupational/Physical Therapist, or  
23 Physician, assists in evaluation, design and implementation of therapy services  
24 and treatments to patients with multiple or acute diagnoses; may instruct and  
evaluate/supervise Therapy Aides, students and/or volunteers.

25 The definition for the class of Physical Therapist 1 states, "[p]erforms professional  
26 physical therapy services." The minimum qualifications for a Physical Therapist 1 state:

1 A Bachelor's degree from recognized school of physical therapy.

2 Note: Eligibility for certificate of registration issued upon recommendation of  
3 Washington State Examining Committee of Physical Therapists is required.

4 Minimum qualifications are pertinent when considering the PT1 position because the incumbent  
5 must have the proper education and pass an examination for state certification. Although Appellant  
6 references DSHS v. Haslam et al., ALLO-01-0029, the Board concluded occupational therapists  
7 must also meet the licensing requirements under RCW 18.59 and determined all of the employees  
8 involved held proper licenses. Appellant does not have the necessary professional license to work  
9 as a PT1, and Respondent must ensure that Appellant's duties are contained within the Therapy  
10 Assistant specification and properly supervised. Therefore, the decision that Appellant's duties are  
11 appropriately allocated to the Therapy Assistant classification should be affirmed.

12  
13 **Conclusion.** The appeal on exceptions by Appellant should be denied, and the Director's  
14 determination dated January 20, 2004, should be affirmed and adopted.

15  
16 **ORDER**

17 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellants is  
18 denied, and the attached Director's determination, dated January 20, 2004, is affirmed and adopted.

19  
20 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

21  
22 WASHINGTON STATE PERSONNEL APPEALS BOARD

23  
24 \_\_\_\_\_  
Gerald L. Morgen, Vice Chair

25  
26 \_\_\_\_\_  
Personnel Appeals Board  
2828 Capitol Boulevard  
Olympia, Washington 98504

Busse Nutley, Member

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26